IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

TUESDAY, THE SEVENTH DAY OF SEPTEMBER
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE DR JUSTICE G.YETHIRAJULU

WRIT PETITION NO: 15896 of 2004

Between:

R. Narsimhulu, S/o. Late Subbanna,
C/o. Rambhupal General Store, Estate Road, Kallur, Kurnool District.

..... PETITIONER

AND

1 The Andhra Pradesh State Handloom Weavers Co-operative Society

Ltd. APCD Bhavan, Narayanaguda, Hyderabad, rep by its Chairman

and Managing Director
2 The Divisional Marketing Officer, A.P.S.H.W.C.S., Ltd. Ananthapur,
Behind Pennar Bhawan, Ananthapur.

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court may be pleased to issue a writ, order or direction more particularly one in the nature of Writ of Mandamus declaring the action of the respondents in not appointing the petitioner on compassionate grounds as clerk or against any other suitable post by considering his representation dt.18-2-1999 and the other reminders, as arbitrary, illegal and violative of article 14,16 and 21 of the constitution of India and consequently direct the respondents to appoint the petitioner as clerk or against any other suitable post on compassionate ground.

Counsel for the Petitioner: MR.CHANDRAIAH SUNKARA

Counsel for the Respondents: MR.N.RAJESWAR RAO

The Court at the stage of admission made the following:

HONOURABLE DR. JUSTICE G.YETHIRAJULU

WRIT PETITION NO.15896 OF 2004

ORDER:

The petitioner is contending that he is the son of late Subbanna, an employee of the second respondent, under the control of the first respondent. The said employee died on 17-12-1998, in harness while in service.

2. The first respondent organization is a registered Society under A.P. Co-operative Societies Act, 1964 and it was subsequently governed under the A.P. State Handloom Weavers Co-operative Society (Formation) Act, 1976 and the A.P. State Handloom Weavers Co-operative Society Limited (Merger of certain Co-operative Societies) Act, 1983 and fully funded and controlled by the Government of A.P.

3. After the death of the employee, the petitioner and his mother made representations on 18-2-1999, 13-08-1999, 01-11-1999, 21-02-2000, 12-11-2001, 22-06-2002 for providing employment to the petitioner on compassionate grounds and he also personally submitted representations on 09-01-2003 and 10-02-2004 for the said purpose.

4. The grievance of the petitioner is that till now the respondents did not consider the applications made by the petitioner and his mother for compassionate appointment, and no orders have been passed. The petitioner therefore, approached this Court seeking a direction to the respondents to pass appropriate orders on the representations made by them regarding compassionate appointment.

5. In the light of the circumstances explained by the petitioner, the respondents are directed to pass appropriate orders on the applications of the petitioner and his mother regarding the request for compassionate appointment to the petitioner on account of the death of his father on 17-12-1998, within eight weeks from the date of receipt of a copy of this order.

6. The Writ Petition is accordingly disposed of. No order as to costs.

Dr. G.YETHIRAJULU, J

07th September, 2004

SKM

TO

1 The Chairman and Managing Director
Andhra Pradesh State Handloom Weavers Co-operative Society

Ltd. APCD Bhavan, Narayanaguda, Hyderabad,

2 The Divisional Marketing Officer, A.P.S.H.W.C.S., Ltd. Ananthapur,
Behind Pennar Bhawan, Ananthapur.

3 Two C.D. Copies.